

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LONE STAR INDUSTRIES, INC.,	:	
	:	
	:	
	:	
Plaintiff,	:	
v.	:	CIVIL ACTION
	:	
	:	
BESSER COMPANY,	:	NO. 11-1481
	:	
	:	
Defendant.	:	
	:	
	:	
	:	

ORDER

AND NOW, this ____ day of April, 2013, upon consideration of Defendant's Motion for Summary Judgment (Doc. 23), Plaintiff's Response in Opposition thereto (Doc. 25), and Defendant's Reply (Doc. 26), **IT IS HEREBY ORDERED AND DECREED** that Defendant's Motion is **GRANTED**.¹

IT IS FURTHER ORDERED that the Clerk of Court shall mark the above-captioned matter as **CLOSED** for statistical purposes.

BY THE COURT:

/s/ **Petrese B. Tucker**

Hon. Petrese B. Tucker, U.S.D.J.

¹ This Order accompanies the Court's Memorandum Opinion dated April ___, 2013.